

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA )**

**v. )**

**JOHN KOSTA, et al. )**

**Defendant )**

**Criminal No. 12-10226-DJC**

**ORDER OF CONTINUANCE AND EXCLUDABLE DELAY**

**December 24, 2014**

Casper, J.

Upon consideration of the parties' joint motion seeking a continuance and an order of excludable delay, the Court finds as follows:

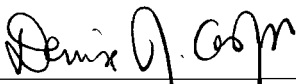
1. At a status conference in this case on December 16, 2013, the Court set John Kosta's and Antonio Verduzco's cases for trial on March 17, 2014. The Court set Tamara Kosta's case for trial on May 19, 2014. The Court further allowed the defendants until January 17, 2014, to respond to the government's pending motion for reconsideration of this Court's Order suppressing certain evidence.

2. A continuance of this proceeding from the date defendants' responses are due through and including the trial dates set in this case is necessary to ensure that the parties have sufficient time to prepare effectively for trial, or, alternatively, to negotiate plea agreements. I find, given the specific circumstances in this case, that this continuance constitutes "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence," 18 U.S.C. §3161(h)(7)(B)(iv) and Section 5(B)(7)(c)(iv) of the *Plan for Prompt*

*Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts.

3. The ends of justice served by granting the requested continuance, and excluding the time period from January 17, 2014 through and including March 17, 2014 for defendants John Kosta and Antonio Verduzco, and May 19, 2014 for Tamara Kosta from the speedy trial clock, outweigh the best interests of the public and the defendants in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and Section 5(b)(7)(C)(iv) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts.

Accordingly, the Court hereby grants the parties' joint motion and **ORDERS** that, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A) and 3161(h)(7)(B)(iv) and Sections 5(b)(7)(A), 5(b)(7)(B) and 5(b)(7)(C)(iv) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts, (1) the date on which the trial must commence is continued; and (2) the periods from January 17, 2014 through and including the trial dates of March 17, 2014 and May 19, 2014 is excluded from the speedy trial clock and from the time within which the trial of the offenses charged in the indictment must commence.

  
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**DENISE J. CASPER**  
**United States District Judge**